

\* \* \*

## ORDER

////

1 IT IS THEREFORE ORDERED that Magistrate Judge Foley's Findings and  
2 Recommendations (#7) is AFFIRMED and adopted, and the case is dismissed without prejudice.

3 Dated: March 25, 2008.

4  
5   
6 **ROGER L. HUNT**  
7 Chief U.S. District Judge  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26